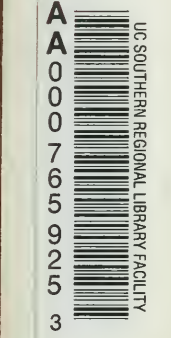
BX
5165
M764c

MONTEAGLE

CHURCH RATES



THE LIBRARY
OF
THE UNIVERSITY
OF CALIFORNIA
LOS ANGELES

CHURCH RATES.

SUBSTANCE OF A SPEECH

DELIVERED IN

THE HOUSE OF COMMONS,

ON THE 3D OF MARCH, 1837,

BY THE

RIGHT HON. T. SPRING RICE,

CHANCELLOR OF THE EXCHEQUER,
AND M. P. FOR CAMBRIDGE.

Can we consider the heart-burnings, the acrimonious revilings, the constant quarrels, the jealousies, the recrimination, the profanation of the Church itself, where these meetings take place, by which, year after year, the cause of true religion is violated and profaned, the house of God desecrated, and the very worst possible spirit excited among the majority of the people at large? I THINK THAT SUCH A STATE OF THINGS IMPERATIVELY CALLS FOR RELIEF.

LORD STANLEY.

EXTRACTED FROM "THE MIRROR OF PARLIAMENT,"
(Part 406.)

LONDON:

PRINTED BY PERMISSION OF THE
PROPRIETORS OF "THE MIRROR OF PARLIAMENT."

1837.

Digitized by the Internet Archive
in 2008 with funding from
Microsoft Corporation

http://www.archive.org/details/churchratessubst00mont

BX
5165
M764c

HOUSE OF COMMONS,

FRIDAY, MARCH 3.

CHURCH RATES REGULATION.

On the motion of the CHANCELLOR of the EXCHEQUER, the House resolved itself into a Committee on Church Rates Regulation,—(King's recommendation signified).

The SPEAKER having left the Chair, Mr. BERNAL presided as Chairman of the Committee.

The CHANCELLOR of the EXCHEQUER.—Mr. Bernal: I shall not occupy your time, or that of the Committee, by soliciting your kind consideration, or by advancing any peculiar claim to your indulgence. Sir, I shall simply say, that under no circumstances have I ever risen to address the House with so deep a sense of the responsibility that attaches to me, whether as a Member of Parliament, or as a Member of the Government. The important question which I am now about to propose to the House, I consider to be one of that character which absorbs all ordinary considerations. It is a question in which the speaker not only forgets himself, and all political or party connection, but in which he loses sight of all considerations whatsoever, except the great and mighty interests that are involved, not in the discussion, but in the solution, of this subject. We are about to try to give religious peace throughout the land. We seek to extend farther the liberal principles upon which this House has, in later times, acted. Sir, the difficulties of discussing this question are greatly aggravated by the circumstances of the times in which we live. If I entertained a hope that we could approach the discussion without passion, without prejudice, without party excitement, then, indeed, I should not hesitate

3012188

in anticipating a successful issue to the debate; but when we see the character of the times in which we live,—when we see the disposition that exists, upon all occasions like the present, to excite a prejudice, to raise a cry, to persuade certain parties that the Church is in danger, — I feel that the difficulties which would exist even under ordinary circumstances become in the present instance overpowering.

Sir, I may be allowed to state, in reference to the spirit in which this measure is recommended to Parliament, that the Government propose it in no spirit of hostility to the Established Church: on the contrary, we feel persuaded that the settlement of the question is that measure, above all others, which, at the present moment, will give peace and security to our Establishment. Sir, let not Honourable Gentlemen think, that, in thus anticipating danger and difficulty, I am drawing purely from my imagination. It is no such thing. Within a very short period of time, before the intentions of his Majesty's Government on this subject had been communicated to Parliament, I saw it proclaimed, — and that on the authority of an individual who is valued, respected, and loved by his friends, — that the public at large were to anticipate a measure calculated to rob God of his glory and the poor of their rights. Such was the character given of our measure by anticipation. Sir, I allude to this for the purpose of denying the assertion; and of entreating the House to believe that the intentions of those who have framed this measure, — the intentions of him who humbly proposes it, — are to advance the cause of religion; to give peace — to give stability — to the Church; and that, so far from robbing the poor of their rights, we seek to affirm those rights, and to establish those rights more particularly in reference to the subject of religious instruction. Sir, it was but a short time since, that, in a debate upon another question, a noble friend of mine animadverted on the absence of petitions. No individual can make a similar observation on the subject of Church Rates. On the contrary, what subject has excited throughout the land so deep and earnest an attention? No person, who has a large class of constituents, can venture to say, — and, thanks to the Reform Bill, most of us may now appeal to a large classs of constituents, — there is no Honourable Gentleman, I repeat it, on either side of the House, who can be prepared to say that this subject is not one which comes recommended to the House as having excited the strongest public interest. Nay, I may almost

put it, whether this is not a subject which we may approach within the walls of Parliament upon the admission that a great evil exists, and that the evil calls for an immediate and an effective remedy? I hope I may assume within this House, though I know a contrary opinion has been entertained without these walls, that a remedy, prompt and decisive, is called for — I hope I may assume that the question at issue between the two sides of the House, and which we must decide, is not whether we can remain as we are? but, what is the course that it behoves the Legislature to follow?

Sir, I should wish, in the first branch of my argument, to refer to certain high authorities on this subject, because the House would feel that I neglected my duty if I did not strengthen my position as far as possible, and more especially when I appeal to authorities which cannot but have weight with the Honourable Gentlemen opposite. I shall not argue merely to satisfy gentlemen who are disposed to support me; but I shall argue, if possible, to convince those Honourable Gentlemen also who are prepared to oppose my Resolution. I may assume, that Honourable Gentlemen who have already presented petitions in favour of the measure, from this side of the House, are prepared to support me. It is therefore from the other side that I must seek to make converts. I seek to influence votes, by calling the attention of Honourable Gentlemen to the fatal consequences which may, or rather which must, arise from allowing this question to remain unsettled. The first authority to which I shall allude is the authority of a Commission proceeding from the Crown, issued during the government of the Duke of Wellington. I do not allude to this Report in support of the particular remedy which I propose, but as establishing the preliminary fact, that the present state of the law is one which we cannot allow to continue; — that some remedy is called for, and that such remedy it is the duty of this House to provide. In the extract which I shall quote from the Report of the Commissioners, I find it set forth, that the whole subject of church rates demands immediate attention; as the mischiefs arising from the present state of the law are rapidly spreading. To prove the correctness of this statement, it is only necessary to refer to the actual state of the law. It is clearly indisputable in practice, and I believe it to be equally so in point of law, that if a vestry is assembled to consider the proposition of a church rate, that vestry has full means of refusing its assent to the rate. I do

not anticipate that there are any Honourable Gentlemen in this House who will defend the present state of the law; but if there are, let them not defend it upon the ground that there now exists any fixed, permanent, or satisfactory mode of providing for the repair and maintenance of the churches of the Establishment. That, surely, cannot be considered as a fixed, permanent, and established income, to which the majority of any parish vestry may refuse or postpone its assent. You may defend the present state of things on any other ground you please; but to defend it on the ground of its affording a permanent and stable support for the maintenance of the parish churches, is a complete misapprehension of all the facts of the case, and is contradicted by the events which are passing before our own eyes. Let the Committee recollect, that the vestries of England (and I rejoice that they are so) are not confined to any particular sect or denomination of his Majesty's subjects. In Ireland that is not the case; but in England you invite, at the commencement of the year, all the King's subjects to meet in vestry, and determine whether there shall or shall not be a church rate. Upon the vote of the vestry so assembled, the imposition and levy of that rate are determined. Let us ask, Sir, to what has this led? It has led, in numberless cases, not only to conflicting opinions, but a determined spirit of resistance; — it has arrayed the Dissenter against the Churchman, — it has produced annual bickerings, and annual divisions. It has led to results that, in a great number of parishes and cities and towns, have been anything but favourable to the stability of the Church, to the promotion of Christian knowledge, or the extension of Christian charity. Let it not, therefore, be said, that this present state of things does furnish any efficient support to the Church Establishment; on the contrary, I maintain that it leads to results of the most opposite character. On the first discussion of this subject, some years back, I think my Honourable Friend the Member for the University of Oxford (Sir Robert Inglis) stated, that there had not then been manifested a resistance to the payment of church rates in more than 50 parishes. Upon the authority of another Honourable Member of this House, it was, on a subsequent occasion, stated that the number of recusant parishes had doubled, and then amounted to more than 100. But, for my argument, I care not whether there are 50 or 100 parishes in which a determined stand is made against these rates: I should be blind indeed to

the interests of the Church Establishment, and to the interests of all who are connected with it, if I thought the danger would be confined within the limits of these 50 or 100 parishes, if I did not attempt to correct what I consider must be a progressive evil. It cannot be said that this resistance is confined within particular localities; on the contrary, it resembles a plague-spot breaking out in one place, but which, in a very short time, will spread its contagion generally. I shall take the liberty of describing to the House what that spirit of resistance, and its consequences, have been in certain cases. I have many examples which I might state to the House, but I shall select only a few as specimens. First, I shall take the case of Sheffield. In Sheffield, the opposition to church rates commenced in 1817 or 1818. On that occasion, the adjournment of the vestry was moved, and the same scene followed year after year, until, in the year 1822, there was a decided contest, the effect of which was to cause an evident separation between the Churchmen and the Dissenters between the years 1817 and 1822. The meetings were held in the church, where scenes took place disgraceful to all parties,—scenes which were fit illustrations of the working of the system. The writer, from whom I derive my information, proceeds to say, —

> One scene I shall never forget; — an actual trial of personal strength between two gentlemen, each trying to eject the other from the chair, the partisans on each side backing and encouraging the combatants. There was no further attempt made to obtain a church rate until 1824; and in that year, the active opponents of the rate on the former occasion being dead, the church rate party called a vestry meeting to lay a rate; and so disgusted had I been at the scenes at former meetings, where the rate was only got rid of by a quibble, that I proposed a resolution negativing the granting of a rate, on the ground of its injustice. This was carried, and there has been no attempt to lay a rate since then.

The consequence has been, that in Sheffield no rate has existed since 1817 or 1818. Here was a meeting held in the church itself, in the face of the whole congregation, — here we find the Dissenters and Churchmen arrayed against each other — the contest resolving itself into personal violence, — and this as a lesson of peace and charity to the assembled parishioners! All this has actually occurred; and with what result? Why, not the collection, but the extinction, of the rate, the subject of contest; — the utter extinction of the rate during the period I have referred to.

The next case to which I shall refer is that of Manchester. I refer to these great towns because I wish to show the magnitude of the evil; because I know that public feeling is more alive in these great towns, than elsewhere; because the excitement that originates there, whether it be of a political, of a religious, or of an intellectual character, soon extends, — first, through all the great towns, and, subsequently, throughout the whole community. At Manchester, I find that the Dissenters, in 1833, resisted church rates, and a poll was demanded, after a rate had been proposed in vestry and lost. A poll was demanded, for which no preparation was made; and after five or six days' struggle, and after polling 7000 and 8000, the rate was lost by a majority of one. The churchwardens held a scrutiny; the majority was declared to be in favour of the rate. This is a case in which the rate was successful; but the examples of cases in which the rate has been carried, speak as strongly for my motion, as those of a different character. The rate was carried; but was it collected? To this I shall refer hereafter. The churchwardens conducted the scrutiny, and declared that the final majority was in favour of the rate: but what has been the result? My Honourable Friend behind me, (Mr. Philips,) knows. Was the rate levied? Was it paid? Was the church supported by the produce? No such thing; no step has been taken to enforce this rate. No levy has been made under it: the churchwardens have not judged it prudent to attempt a levy; so that even when, in vestry, the rate has been successful, it has failed for any real good and practical purpose. The subject has excited a storm, and all for nothing. Confusion, and contest, and party dissensions have been produced. The writer of a letter which I hold in my hand proceeds to say, —

In 1834 a contest again took place in Manchester. The election of the Members was nothing to it. The poll lasted five or six days, and nearly 15,000 votes were polled, and there was a majority against the rate of 11,000. It appears that a scrutiny was demanded; but what was the result? This large majority was declared to be a minority; but, though dared to do so, they declined to try the case at law.

Was it politic, in such a community as Manchester, to array 15,000 persons in controversy upon a church question? and I have stated that, when they had succeeded, the churchwardens did not dare to try the case at law, or to collect the rate thus established. In the year 1835, another parish meeting was called, and a very

large assembly came together, but the show of hands was so decisive, that the churchwardens declined to go to a poll, and from that time to the present, in the town of Manchester, there has been no attempt to raise a church rate. Can, or ought this state of things to continue? If you depend upon the church rate for the maintenance of the Church, can you depend upon the present state of the law to enable you to enforce that payment? It is not sufficient to assert that the law must be strengthened: if you wish to maintain such a proposition, you must carry the House of Commons with you. Can you do so? Can you get any House of Commons to grant such new and additional powers?

COLONEL SIBTHORP. — Hear! hear!

The CHANCELLOR of the EXCHEQUER. — The Honourable Member for Lincoln, I know, holds, that if the church rate cannot be collected under the present law, nothing can be more easy than to persuade the Legislature to give additional power. I confess, I should like to see, not the person, but the party, however combined in force or number, who could come down to this House, and ask the Parliament—not to give the people of England a settlement of this question, but—to grant additional power for enforcing the payment of church rates, and persisting in the present system. I will say, that, be that individual who he may, who thinks he can obtain from the Legislature additional powers to enforce the payment of church rates, he will soon find that he miscalculates the character of the Legislature, as well as miscalculates the people whom that Legislature represents.

There is another case which, as it establishes the first part of my proposition, I must take the liberty of adverting to. The case I allude to occurred in a township in Yorkshire, called Applethorpe. In this case there had been a large church built; heavy rates were demanded and were agreed to at the vestry meeting, and a rate of 2*s*. 9*d*. was actually ordered to be levied. I have already shown you a case in which a rate has been refused by the vestry; I have also shown you a case in which a rate, being made, was not enforced; and the object of the present illustration is to show you, farther, what, even where a rate has been granted and enforced, sometimes are the consequences of that enforcement of rate, and how strongly those consequences prove the incon-

venience of the existing law. In this case the rate of 2*s.* 9*d.* was proposed to be levied on a certain Captain Flower, a dissenter, who contested the rate. He was summoned before a magistrate, again persisted in his refusal, and denied the legality of the rate. The legality of the rate being contested, the magistrate was deprived of jurisdiction; the case was taken to another and an ecclesiastical tribunal, and the result was, that Captain Flower had to pay the rate, with costs amounting to 250*l.*

COLONEL SIBTHORP. — Hear! hear!

The CHANCELLOR of the EXCHEQUER. — Of this I do not complain. I admit, that if he, or any one else, resists a demand, and goes to law to try the right, if the law be against the appellant, he is bound to abide by the consequences. I suppose that I have understood the meaning of the cheer from the Honourable and Gallant Colonel, and that I have answered his supposed inference. But, without claiming for Captain Flower any sympathy for the payment of his costs, there is another circumstance, connected with this case, which, perhaps, when the Gallant Colonel hears, he will not be disposed to cheer: it is this,—that no rate has been granted in that parish ever since. The case therefore proves that for the recovery of the rate of 2*s.* 9*d.* contested on the ground of its legality, costs of 250*l.* were inflicted on the party, and the rate has not been repeated. If you read that lesson to the people of England, depend upon it that their sympathy will be excited for the man who has paid these enormous costs, and their feelings will rise against the existing law.

I trust that Honourable Gentlemen will see that all these illustrations, however tedious, are made for the purpose of establishing the first point of my argument, namely, that the law cannot be permitted to remain as it is. If there be Honourable Gentlemen in this House who think that the law can stand as it is, let them come forward in reply, and maintain that argument. But they cannot do so if, as I hope I have been enabled to prove to this House, the law is defective and needs amendment. This is the first duty of every one who suggests any important change of the existing law. Until that foundation be laid, I do not conceive that I have a right to come to Parliament and recommend an alteration. It has been with that view that I have referred to the matters of fact I have brought before the House. But I rely not

only on fact, but on opinion also. I may appeal to one authority on the subject which cannot fail to have great weight with those Honourable Gentlemen, on the other side, who suppose that the present system can be maintained. It is the authority of my Noble Friend opposite, and I rejoice to have an opportunity of quoting to the House any authority of his, in support of an opinion of my own; for, though we have differed on some important questions, and on more occasions than I could have wished, we have never been engaged in discussion upon any terms but those of sincere and affectionate friendship. When I appeal to his authority on this subject, I have no right to claim it in behalf of my specific plan of remedy. But I know his high authority; I appeal to that authority in condemnation of the present system; and I therefore call upon the House to listen attentively to the opinion which he eloquently expressed upon this subject in 1834. My Noble Friend stated that "true it was, that though church rates had been resisted, the Church itself had been successful in overcoming the resistance;" and then he proceeded to state, with a truly wise and statesmanlike view of the subject, what must be the consequences even of that success: —

Suppose (said he) that, year after year, the Church should be triumphant in maintaining the payment of these rates to the uttermost farthing, and in maintaining every abuse connected with their collection and distribution; does my Honourable Friend (the Honourable Baronet the Member for Oxford) think that such a course of proceeding would be advantageous to the interests of the Church, or lead to the promotion of true religion? *

My Noble Friend well knew on what grounds to appeal to the Honourable Member for Oxford. He appealed to him on the grounds of the interests of the Church itself, and the advancement of true religion. I say, Sir, how can the interest of the Church itself, and the advancement of true religion, be promoted or maintained by the present system of making and enforcing church rates? My Noble Friend, following out the same course of argument, next asked, —

Does my Honourable Friend consider the heart burnings, the acrimonious revilings, the constant quarrels, the jealousies, the recrimination, the profanation of the Church itself, where these

---

* See Mirror of Parliament, Sess. 1834, Vol. II. p. 1167. col. 2.

meetings take place, by which, year after year, the cause of true religion is violated and profaned, the house of God desecrated, and the very worst possible feeling excited among the majority of the people at large? I say that such a state of things imperatively calls for relief.*

I do not appeal to him as an authority in favour of my plan, of which he knows nothing; but I do appeal to him as a conclusive authority in favour of my first principle, which affirms that the present system cannot be allowed to continue. If Honourable Gentlemen stand up and tell us that the Church has been victorious, I ask them, in the words of my Noble Friend, will not such victories be fatal? Or, if the Church continue to be triumphant, can such dangerous triumphs be considered as a set-off or counterpoise to the mischiefs which my Noble Friend so eloquently described in the speech which I have just quoted? I feel that I must have occupied the attention of the House for a longer period than I could wish, even on this first part of the subject; and I should not have done so, but that I feel and know that, though not within these walls, yet without them, some have maintained that no remedy is required, and that no alteration of the law is called for. I know that there is an opinion prevalent in certain quarters, and more particularly among Churchmen, that we may struggle on as we have done. I know that an opinion has been inculcated, that the law, as it now stands, is sufficient to enable the Church to enforce the rates; and I have, therefore, thought it necessary to prove — on authority, to me, conclusive — that a change of the present system is necessary to the interests of the Church itself, — to the just feelings of the Dissenters, — and to the maintenance of good order and peace throughout the country. Now, Sir, if I am right, — and I may be permitted to assume that I am so for the moment, — let gentlemen remember that we are not called upon to decide absolutely upon my plan: on the present occasion I am only bound to explain its principle, and to prove that it is worthy of consideration. It is not so much the question, at the present moment, whether a particular remedy should be adopted, as whether any remedy is called for, and whether my proposition may be entertained.

Various remedies have been proposed from different quarters; to these, I shall proceed to direct my observa-

* See Mirror of Parliament, Sess. 1834, Vol. II. p. 1167. col. 2.

tions. Of these, the first is, the total abolition of church rates: leaving the repair of the fabric of the Church to be provided for by the voluntary contributions of the members of the Establishment. This is, in point of fact, no less than leaving the maintenance of the fabric of the Church to depend on what we understand and refer to, in our debates, under the name of the voluntary principle. Now, Sir, I for one say, that to that principle I must ever, and under all circumstances, express my decided opposition, whether with regard to the maintenance of the fabric of the Church, or to the support of the ministers of the Establishment. I am a member of the Established Church. I am sincerely attached to that Church by conviction, no less than from birth and education. I am not called to argue as against the voluntary system, at the present. It is sufficient for my purpose to enter my protest against it, in whatever shape or under whatsoever modification it may appear. My Noble Friend the Secretary of State has made this declaration on various former occasions: I repeat it, and I state it the more boldly now, because it is on the rejection of this principle that I invite the House to the consideration of my proposed remedy; and, therefore, it need not preclude any person from adopting my conclusion, and doing that which I contend is just, not only to the Established Church but to the Dissenters. I repeat it advisedly,—for the plan I am about to propose, so far from having any connection with the voluntary principle, and so far from leaving no settled provision for the maintenance of the fabric of the Established Church, proceeds upon a principle the very opposite; and it affirms absolutely, that of the duty which is incumbent on the State of securing, for ever, the means for religious worship within his Majesty's dominions. If more were called for, and it were considered as insufficient for me to record my dissent from the voluntary principle, I might be tempted shortly to add, that when any Honourable Gentleman can satisfy me that the independence and honour of the country can be defended — when our army and navy can be supported — when public instruction can be provided for— when the administration of justice can be maintained—upon the voluntary principle, — then, and not till then, I shall apply the voluntary principle to the Church: sooner it cannot be applied, unless it be contended, indeed, that religious instruction is, as a principle, less important to the whole community than the other duties to which I have alluded. In such an event, but in no other, can I

admit that the voluntary principle in religious matters may be relied on. But, inasmuch as I feel that it is impossible to establish any one of these propositions, and when I know that the religious Establishment of the State is, at the least, as necessary to be maintained as the army, navy, or administration of justice; then I must say that I can never submit to leave the Church Establishment to the chances and instability of the voluntary principle.

Sir, a second proposition is, that the Church should be left to the voluntary principle, but that a distinctive system of taxation should be introduced, — these taxes being levied exclusively from the members of the Church for its maintenance. I think, Sir, this involves, though in a minor degree, the objection to which I have already alluded, as applicable in the former proposition. It is inconsistent with the first principles of our Establishment; and how, Sir, are we to distinguish who is or who is not a churchman? Are we to establish a new test? Are we to renew the odious principle of the Test and Corporation Acts, in order to know who is to be hereafter compellable to contribute towards the Church Establishment? But, Sir, I need not pursue this line of argument further, — the plan is too absurd, and manifestly objectionable, to require further observation.

Another proposition is, that there should be a fund created by a tax levied upon the clergy, by the imposition of a rate of taxation levied by a graduated scale upon all the benefices of the Church. It is suggested as a sort of income tax, to be levied upon the clergy for the maintenance of the fabric of the Church. Neither to that proposition can I agree. You have stated to Parliament, in a Report laid upon your Table, what is the actual amount of the revenues of the Church of England. After considering that Report, I think no Honourable Member will deem that an income tax upon the clergy is a proper mode of meeting the expense. That Report shows, that the average income of the clergy of the Church of England amounts to no larger a sum than 285*l.* per annum. Sir, I am not now called upon to enter into the question of distribution; but, assuming, for the sake of argument, that the distribution was equalised, it will only yield an average of 285*l.* But then, some exclaim "there are the bishops, deans, and chapters, — why not abolish them?" Sir, in answer to that, I say, in the first place, that the proposal would be, in fact, abolishing the episcopal character of our Church. It would alter the whole system of the Establishment. But,

again,—conceding, for argument's sake, that all these dignitaries were swept away, and that their whole revenue were thrown into the average, it would not yield, even then, to each clergyman an average much exceeding 300*l.* per annum. I am not, for one, prepared to say that this income is in excess. On the contrary, I feel that it is not an income from which I am prepared to make any deduction, when I consider the duties cast upon the clergy, and the large means of usefulness which are open to them; when I think on their charity and their benevolence, and the claims upon both. On these grounds, I am not disposed to make any deduction from the income now assigned to the parochial clergy of the Established Church.

Another suggestion has been made, by which a fund should be raised solely by pew-rents, and by which the sittings in the church should be applied to maintain the fabric of the church. Sir, I should be very reluctant to acquiesce in this principle, stated without limitation. Then, indeed, I must appear to justify a second part of the urgent cry to which I have already alluded; then it might be said that I did propose to rob the poor of their rights. Sir, I think, if all admission to our churches were made dependent on money payment, we should rob the poor of their rights; which I will never consent to — and, therefore, if there be any who impute such an intention to me,—to his Majesty's Ministers,—or to those who may support the plan we propose, such persons do us a manifest injustice. Sir, I contend that it is the duty of the Government, on the contrary, to provide, as far as is practicable, seats for the poor; and instead of limiting or abridging their rights, I propose in my Bill to confirm and extend them. If we were to place the support of the fabric of the Church upon the system of pew-rents, without regard to the rights of the poor, or without providing adequate means of religious instruction to the poorer classes, I say, that it would be a vicious settlement of the question. Therefore I utterly and entirely disclaim all intention of wishing to provide exclusively by pew-rents for the support of the fabric of the Church; reserving to myself, in the further developement of my plan, the right of suggesting the appropriation of pew-rents, paid by the rich for the support of that fabric, and thus extending the means of religious instruction to the poor.

Another plan to which I shall advert is of a very different character; and this is the scheme of those who are

so surprisingly contented with our vestry system, that they are anxious that church rates should remain in their present condition, and only wishing to obtain a little additional authority and control over those who vote the rates, namely, the persons who are called on to pay them. This plan is set forth in some resolutions entered into at a meeting of the Archdeacons of England. I entertain the deepest respect for these gentlemen; but they will, I am sure, allow me to comment freely upon their opinions, as expressed in these resolutions. One of the resolutions is—"That this meeting earnestly deprecates all interference with the principle of church rates, being persuaded that no other mode of attaining the same object, equally safe and permanent, can be devised." Now, Sir, if there be any force in the opinion of my Noble Friend,—if there be any force in the opinion of Lord Spencer,—or if there be any force in the opinion of the Right Honourable Baronet the Member for Tamworth in adverting to this subject, it is impossible to acquiesce in this ecclesiastical judgment of the Archdeacons. But, Sir, this is not all. Like the postcript to a lady's letter, the most important part of the communication remains for the last. The second resolution is—"That nothing more is required than additional enactments for better raising or making the rate, and for securing the rate payer every possible satisfaction as to the faithful application of the money so raised." Now, Sir, let us inquire what may be these additional enactments? Either that power should be given to churchwardens to levy a rate without the consent of the vestry; or to give to the magistrates at quarter sessions the power to impose a rate upon parishes, without the consent of the parishioners. Neither proposition can be maintained, or even tolerated, for one moment, let it come from what quarter it may.

I now proceed to another proposition, which I approach with much more of respect as well as of doubt and hesitation; the propositions made by Lord Grey's Government,—the proposition made by Lord Spencer to this House. I must be permitted to discuss that proposition, and state to the Committee the reason why I think it is open to objection; and that the House, though admitting that it contained an improvement of the existing law, would not now be warranted in adopting it. Lord Spencer proposed that a sum of 250,000*l.* should be voted by Parliament for the purpose of maintaining the fabric of the Church. That proposition was submitted to the

House. No one proposed, distinctly, to negative it, but amendments were moved to this effect, — "That until it was shown that the funds of the Church were inadequate for the purposes of the Church, the House was not disposed to entertain the proposition." My Noble Friend did not persist in his plan. His Majesty's Government feel the utmost respect, of course, for a plan in which so many of them formerly concurred. But I shall take the liberty of stating to the House the reason why I think that proposition, though good in many respects, ought not to be made, and why another and a preferable proposition ought to be adopted. In the first place, the House is to recollect that the present system of church rates is one which allows to the parishioners, in vestry assembled, the power of saying aye, or no, to any proposition for a rate. It is, in point of fact, founded on the constitutional principle of parochial government. I object to this, not on the ground of any injustice, because I think in all communities the majority must have a power of governing on such subjects, but because these vestry meetings lead, as they are calculated to lead, to perpetual discord and contest. Still, I say, that if the parishes of England have a free right, as at present they have, to say whether 1000*l.* or 500*l.* shall be levied from themselves and expended, I am not surprised that they should say, "We don't choose that our money should be expended upon objects in which we are so deeply interested, without our opinion having been once asked upon it." That is the first objection which is fairly applicable to Lord Althorp's plan. It would deprive the parishes of the control they now possess. But there is another objection, which I think is more powerful, and to my mind appears quite decisive; and I wish my Noble Friend, who was a party to that proposition, to give me his attention while I state this objection. In a publication which has recently issued from the press, in defence of church rates, — and which has obtained a circulation proportionate to the ability by which it is characterised, — I find it stated that in 5000 parishes no rates are levied, and that more than one third of the parishes of England are free from this burden. I find it so stated, and, though I have no direct evidence of it, I assume the statement to be correct. But I know this confirmatory fact,—that, by the Charity Commissioners' Report, in very many instances in parishes, there does not seem to be a necessity for the levying of any church rates at all, because in those parishes provision is already made, by the endowments of pious persons, for

the maintenance and erection of churches. In the county of Norfolk, for instance, there appear upwards of 100 parishes that have some endowments for their churches: I do not affirm, nor do I know whether those endowments are adequate; but to take the extreme case stated, that of 5000 parishes in which it is said that there are now no church rates collected, and wherever there may be an existing adequate endowment, is it fair to tax — which you do if you raise the church rates from the general taxation of the country, — is it fair to tax those parishes who have funds adequate to maintain their churches — is it fair to tax them for the support of other churches in other parts of the country? I contend that, there being subsisting endowments in many parishes connected with the established religion of the country, it is unjust, because it is partial, to levy an indiscriminate taxation throughout the kingdom for the general maintenance of the churches. I may be permitted to state one instance in illustration. I find that in the reign of Queen Mary a charter was granted, and considerable property given to a corporation at Sheffield, called the Church Burgesses; that those persons have now adequate funds for the maintenance of the church at Sheffield, that they do maintain the church at Sheffield, and that all church rates at Sheffield have ceased. Would it not be rather hard, in this case, to say to the inhabitants of Sheffield, "You are to make a provision for the maintenance of churches in other places where no such endowments exist"? The difference of religion in the case of Scotland and Ireland will give this argument additional force. It was frequently asked, on the part of Scotland, when Lord Althorp's plan was brought forward, "Why should we be taxed for the support of the Episcopal Church in England? For, if funds for the maintenance of that church are taken from the general taxation of the country, you do, in fact, compel us to aid in its support." And I think I could recognise something of the old spirit of opposition to episcopacy by which the Scottish covenanters were actuated, in the tone in which some gentlemen echoed these sentiments. I say, then, of the plan of Lord Spencer, that, though it was a great step in advance, — though it tended to put a stop to the pernicious conflicts which have so long raged between dissenters and churchmen, — it was based upon a principle which I cannot admit to be free from all just objection. Nor were the objections entertained to this plan entirely confined to dissenters. I find in *The Quarterly Review* —

a publication certainly in no wise connected with the dissenting body — the following observations: —

> If the plan be adopted of upholding the churches out of the national purse, and the repairs be charged on the Consolidated Fund, where is the relief to the Dissenter? for the principle by which he is made — indirectly to be sure, but still substantially — — to contribute to the maintenance of a building which he never enters, is just in as full force as under a system of rates.

I do not concur in all the arguments contained in the paper from which I have read an extract; but I have no hesitation in asserting my conviction, that, by taking the course here alluded to, we should but have adopted a palliative, and a kind of half measure, which would not have been considered as satisfactory or final by a large body of his Majesty's subjects.

Sir, I have thus endeavoured to prove that the present state of the law is defective; and, secondly, that the various remedies which have been suggested would not turn out to be effectual. I know I have occupied the House at great length; but I am resolved, even at the hazard of trying their patience, to omit nothing that may recommend the plan that I am about to introduce, or may protect the supporters of that plan from misrepresentation. Sir, the plan of his Majesty's Government — the plan which I am now about to explain to the House — proposes to abolish church rates altogether; not for the purpose of leaving the fabric of the Church unprovided for, but with a view of providing for its repair, and maintaining it in a manner equally permanent, equally fixed, as before, but by a mode differing from the present in this main and essential distinction, — that while the present system seeks for its support through contests painful in their prosecution, and doubtful in result — while in levying rates it creates religious animosity — we propose to maintain the fabric of the Church without injury to the Church itself, or to any class of persons, and under a system by which these heats and animosities will be extinguished. Our Bill provides for church rates out of a surplus to be created by a better management of lands which are now the property of the Church, and in the hands of the archbishops, bishops, deans and chapters throughout England. Honourable Gentlemen will understand that I do not propose to touch the income, whether in glebe or tithe, of any one of the parochial clergy throughout England; neither do I mean to interfere with the settlement of the income of any archbishop or bishop as fixed and regulated by the Bill of last Ses-

sion, and recommended by the Ecclesiastical Commissioners. I do not propose to vary any ecclesiastical arrangement made, or proposed to be made, last year. My proposal is, that, out of the lands in possession of the higher ecclesiastical corporations, means may be provided for supporting the fabric of the Church. I think that by this means a sum of of 250,000*l.* a year, at the least, may be secured. Such was the amount proposed to be taken from the Consolidated Fund, by Earl Spencer. If this can be done without injury to the Church, I believe that those who are anxious for the abolition of church rates will, and I know that they ought to, be content; and I hope also to satisfy all who are desirous to put an end to contests, injurious alike to churchmen and dissenters — two classes who, notwithstanding differences in faith and discipline, should be combined for the attainment of the common object of promoting improvement, religious, social, and political. Sir, I propose to create a commission for the management of the Church estates.

COLONEL SIBTHORP, and several HONOURABLE MEMBERS.— Hear! hear!

The CHANCELLOR of the EXCHEQUER. — I was sure that the word "commission" would be followed by a cheer from the Gallant Member for Lincoln, — as I am sure that light will, to-morrow, succeed to the rising of the sun. But let Honourable Members hear a little more. I propose, that there shall be a commission for the management of the Church lands, to consist of eleven persons; of these, five to be of high rank, ecclesiastical rank, namely, the Archbishop of Canterbury, the Archbishop of York, the Bishop of London, the Dean of St. Paul's, and the Dean of Westminster: the others to be, the Lord Chancellor, the Secretary of State for the Home Department for the time being, the First Commissioner of Woods and Forests for the time being (for reasons I shall presently explain), and, as in the Tithe Bill, I propose that there be three paid commissioners, one of them to be appointed by the Archbishop of Canterbury, and the two others to be appointed by the Crown. Such is the constitution of the commission that I recommend. Honourable Gentlemen will observe, that the object of the appointment of this commission is solely for the management of the Church lands. I do not propose that the legal estate shall be transferred to them;

on the contrary, I think the legal estate should remain as at present, but that the management of the Church lands should, as in the case of the Crown lands, be transferred to these commissioners. I then propose that the present leasing powers of the Church shall altogether cease.

Several HONOURABLE MEMBERS. — Hear! hear! hear!

MEMBERS on the Opposition Benches. —Hear! hear! hear!

The CHANCELLOR of the EXCHEQUER. — Gentlemen will, when they have followed me through my arguments, be enabled to judge whether any injustice, either to the Church or to individuals, is intended. I need not refer to the present system of leasing — the power of taking fines — of granting leases for lives, of leases for years, and the power which the bishops, with the approval of the deans and chapters, possess of granting concurrent leases. All these must be familiar to Honourable Gentlemen who may have considered the subject; and, if not, in the course of my address, the proposition I myself make will be sufficiently explained. The greater portion of the income derived from the Church lands is raised by fines upon the renewal of leases. The rents are, for the most part, fixed, and they constitute a comparatively small portion of the income. The Church is thus in the state of a person who lives by raising money upon a reversion, which, where the renewals are made as at present, is decidedly the most improvident of all modes of proceeding. Every Honourable Gentleman, at all acquainted with the world, must know, that such is exactly the conduct of a spendthrift. I propose, therefore, that the system of levying fines shall be entirely discontinued, and that the present leases be allowed to run out, then to be renewed on certain conditions in reference to their full value. It will be said, no doubt, and said with justice, that if my plan stopped here, — if the measure which I have to propose were limited to this condition only, — a great injustice would be done to the lessees. They have in many cases inherited their leases from their ancestors — those leases have been the objects of mortgage and of family settlements; and they, therefore, may be considered to hold their lands under a qualified species of right. It cannot, of course, be considered as a strictly legal right, but one which at least entitles the lessee to some equitable con-

sideration. Our Bill is founded upon the admission of such a principle. For, however great the inconveniences which we wish to remove, we ought not, in endeavouring to do so, to injure the rights of individuals.

The Bill which I propose to introduce is founded on the principle of giving a reasonable consideration to the rights of the present lessees. We not only propose that, according to the improved value of the lease, the existing tenants of the Church should be entitled to a right of pre-emption, but that such right should be secured by allowing his renewal at five per cent. below the improved value. This is the principle adopted with the tenants of Crown lands; and I propose, with respect to the tenants of the Church, to give them the same advantage. But I am far from satisfied with this — I do not think it fully meets the equity of the case. If we merely continued the system of leases, I think a great portion of our duty would still be unperformed. Any one who has seen — not only in agricultural districts, but in large cities — the course of improvement which is interrupted, and great national undertakings checked, by the uncertainty of church leases, must admit that we could not be satisfied with the regulations to which I have alluded. I propose, therefore, to give the existing tenant not only the pre-emption of the lease, but the power of purchasing the fee-simple of the Church estate, subject to an increased rent payable to the Commissioners. When I say a fixed rent, I mean, that when the rent has once been ascertained, it shall afterwards fluctuate according to the value of corn. It may, therefore, be called a corn rent, and the fluctuations will be calculated upon the principle laid down in the Tithe Act of last Session. I propose that the Church lessees shall be enabled to purchase the fee-simple of the land at the rate of twenty-five years' purchase, the existing leases being valued at the rate of 4 per cent. If, for instance, a tenant has a lease equal to fourteen years' purchase, that interest shall be estimated at four per cent.: the difference between that sum and twenty-five years' purchase of the improved value of the fee-simple, shall be the amount the tenant will be called upon to pay for the enfranchisement of his land. Honourable Members are not, however, to suppose, that the plan which it is my duty to propose will make it imperative upon every lessee to pay this amount of difference in actual money. In order to facilitate the transaction, I propose that the amount should be commuted into an increased rent, to be added to the rents and fines which

are now payable. I offer to the tenant the entire enfranchisement of his land — I offer to make that which is now an uncertain and doubtful tenure a tenure fixed and certain — a tenure in fee simple — one which will secure to the Church not only that which she now receives, but also that surplus upon which I confidently rely as a substitute for the present church rates. There will also be clauses to enable persons who are life renters to raise money, as well as to effect the exchange of lands. By these clauses the life renters will have power to exchange church lands for others which may be more suitable to his views and enjoyments. Sir, in cases in which persons being sub-lessees hold leases under a covenant of perpetual renewal, or renewal *toties quoties*, their rights will also be regarded, and their interests will be regulated as in the case in dealing with the sub-lessees of Crown estates. The sub-lessee will have the power of appearing before the Commissioners, of proving his interest in the land, and obtaining from them such decision as the justice of the case may demand.

Sir, I have already stated that, by my plan, the rights of the present dignitaries will not be at all affected; and, in order to provide more especially for such cases, we propose, that if a bishop pleases, he may continue to keep up his receipts as under the present system of fines and rents. There is nothing in the Bill to prevent his continuing that practice, so far as he is concerned; though we hope he may find it more to his advantage to accept the provisions of this Bill at once. But the moment that the present incumbents' interest ceases, their successors will come absolutely under the provision of the Act. Sir, I believe that the funds which the Bill provides will be more than adequate for all the purposes for which this is intended. It is our intention, by the Bill we are about to introduce, to enact that the surplus, after paying the present fines to the bishops and ecclesiastics, and after providing, in addition, for the charge of church rates, shall form a reserve fund, and shall be applicable to the endowment of small livings. Next, I have already stated that in many parishes there exist local funds applicable to the repairs of churches. I am decidedly of opinion that these funds ought to be brought under the consideration of the Commissioners intrusted with the administration of the Church estates. Those funds we accordingly propose to bring under the control of the Commissioners, though not to vest them in their hands. I have omitted to state that the commission to which I have alluded

will be charged with the primary duty of paying over to the Ecclesiastical Commissioners, as at present constituted, the sum of 250,000*l.* per annum, to provide for the maintenance of the Church, the amount of the existing fines. Another source of income which will be brought under the notice of the Commissioners will be the pew-rents. I am very far from being desirous of limiting the attendance of the people on the service of the Established Church, to those who will pay a sum of money for their sittings. Nothing can, in my mind, be more unjust, nothing more injurious, and, therefore, nothing deserving to be more strongly deprecated. It would be most improper to raise, between the poorer classes and their religious duties, obstacles of this description. But, undoubtedly, where pew-rents have been received,—and in all cases where they can justly be demanded from the rich, they ought to be received,—they should be employed for the support of the church. This is already the case in many parishes of the metropolis. In the parish of St. James the pew-rents produce a sum fully adequate to the maintenance of the church; and the church rates in that parish have consequently ceased to be collected. There are many other parishes in which a similar practice prevails. I propose intrusting the management of these pew-rents, first to a committee elected by the pew-renters themselves, reporting to the bishop and the commissioners: the former will be enabled to take care that these pew-rents shall not be collected in the parish, unless upon the condition that free sittings shall be provided for the poor on a scale more liberal than the present. I know not whether some Honourable Gentlemen opposite, who have been taking notes, may be inclined to quarrel with me on this subject: they may possibly object on the ground that they consider the levy of such rents unjust in all cases; but they certainly cannot, with any pretension to truth and fairness, find objection on the score that we leave the wants of the poor unprovided for: on the contrary, it is of the very essence of the Bill that a provision should be made for the accomdation of the poor, and a provision far larger than that which at present exists. The Bill will enact that the minister and churchwardens, with the consent of the bishop, shall reserve, at the least, one fifth part of the seats as free for the poor; and if the same have been usually let previously, then one third, as if the church had been erected under the Church-building Acts; or one half, if pews have not been usually let before. As I ob-

served in the outset, it has been imputed to me, and to those with whom I act, that we are disposed to rob the poor of their rights. The House will now, I think, be satisfied that this accusation is most unfounded. I feel that I am compelled to press this point, because there is none upon which a strong feeling can be more easily, nor, if true, be more justly, excited. The provision which it is proposed to introduce into this Bill upon the subject of free sittings in the churches, is, I believe, of a larger and more liberal nature than that which at present exists; and if the only difference which subsists between Honourable Members and myself has relation to the subject of extending a greater degree of accommodation to the poor, I do not believe that they can justly quarrel much on this score. They will find me, upon this subject, at all events, ready to carry my principle as far as they may desire. It is also proposed by the Bill which I shall ask leave to introduce, that the whole of the present system of visitation fees, and fees upon the swearing in of churchwardens, shall be abolished. In this respect my proposition is the same as that of Earl Spencer. For my part, I cannot see how any benefit can possibly be derived from the perpetuation of the present foolish system of swearing in churchwardens, when all that is required may be done, without expense, either before magistrates or neighbouring surrogates; and, by the alteration I propose, a saving of from 150,000*l.* to 180,000*l.* per annum will at once be effected.

I now proceed to a point of very considerable importance. Honourable Gentlemen must be aware that a very large debt has been already contracted on the security of the church rates. Public and private money both to a very great extent has been advanced. How is this to be provided for? I must say, as one most friendly to the reform of the existing system of church rates — I will say, as one feeling deeply convinced of the necessity of maintaining the Established Church, — that it would be unjust to seek to attain these objects, however useful, by proposing that a debt, contracted under the sanction of the ordinary laws of the land and warranted by Acts of Parliament, should be in any the slightest degree affected or impaired in its security of repayment. Well, then, Sir, as by my Bill there will be an end put to church rates absolutely for the future, it will be necessary that the whole amount of debt already incurred by the parishes should be secured on the parochial rates. It would not be just that we should

relieve property from engagements already contracted. Those debts should still be made good out of the funds, and by the persons by whom they are now owing. I will not bring forward a proposition founded on any other principle; I should shrink from making any which I believed to be practically unjust, or which contained within itself the elements of injustice. It would be surely most unjust to transfer to one man's shoulders a burthen which has been contracted by another. The parties who now owe this debt, are the parties who are bound to pay it.

Sir, it is now necessary to state, for the satisfaction of the Committee, that, out of the income of archbishops and bishops and other ecclesiastical functionaries, which amounts to 541,000*l.*, my measure only affects that portion which is represented by fines, and which amounts to 260,000*l.* I do not mean to diminish, in any degree, the actual receipts of any one archbishop, bishop, dean, or other dignitary. I have already alluded to the mode by which I expect to obtain an adequate surplus; and, to make a subject which is complicated in itself somewhat more intelligible, I shall explain it by an illustration. My object will be to prove, that the Committee may rely on obtaining an increased revenue of 250,000*l.* by the introduction of an improved system of managing the estates of the Church. In the first place, I shall be asked on what authority my reasonings rest. I cannot hesitate to name my authority, more particularly when I can refer to a gentleman for whom I have a great respect and regard, and to whose official assistance, on the present and on former occasions, I owe great obligation. I mean Mr. Finlayson — a gentleman whose authority will not be objected to on either side: indeed, on the other side of the House, when Honourable Gentlemen wished to oppose our Irish Church Bill, the authority of Mr. Finlayson was, to them, all and every thing. Their calculations were laid upon the Table of the House, and they endeavoured to prove, from the conclusions to which they led, that our proposition was indefensible. Mr. Finlayson is the authority to which I now appeal. As the question is an abstruse one, I shall rather state Mr. Finlayson's conclusions, than endeavour to follow his reasoning in much detail; but, as I am bound to prove that this sum of 250,000*l.* can be obtained in the way I suggest, those who are prepared to oppose, or to support, my plan are equally interested in giving me their attention. I shall come to the result without going through

all the calculations. The point to be discovered by Mr. Finlayson was—the improved rental of the Church lands. This was to be inferred from the value of the fines received; the average subsisting terms; and the rate of interest allowed to the lessees on renewal. From these elements the rental is inferred. Now, taking the leases for lives and the leases for years together, the average subsisting term may fairly be estimated at twenty-four years: the average rate of interest allowed upon renewals may be assumed at 7 per cent.: the amount of fines is 260,360*l.* From these data the deduced rental would, I feel confident, be considerably within the mark; and I am satisfied that the fullest investigation would confirm this suppostion.

The computations to which I am about to refer are founded on the best data within my reach, and will, I am convinced, be fully confirmed by the actual facts. I have endeavoured to ascertain the real value of this property of the Church from the following elements: the amount of fines received; the average duration of the subsisting terms; and the rate of interest allowed to the Church lessees. Results deduced from thence, by a close and scientific inquiry, have afterwards been brought to a test derived from the actual examination of church leases in particular dioceses; and the comparison has given a complete confirmation to the theoretical discovery. The fines received are as follow: —

	£
Archbishops and bishops	74,812
Deans and chapters	164,059
Prebendaries, &c.	21,760
	£260,631

These fines are calculated to be distributed in the following proportion: —

	£
Fines on lives	150,671
Fines on terms of years	109,960
	£260,631

Now I am inclined to estimate the subsisting leases as leading to the following results: —

	Years.
Average subsisting leases for lives	29·6
Average subsisting leases for years	15·7

giving a general average of twenty-four years. I assume the average rate of interest allowed at 7 per cent.; I believe that the closest investigation would bear out this hypothesis: and from these facts Mr. Finlayson is enabled to deduce the value of the rental of these estates. That rental may be assumed to be, at the very least, 1,323,000*l.*; and in stating this amount I feel satisfied, from Mr. Finlayson's calculation, that I am placing the estimate very considerably below the mark: but even at this rental I can show what is my probable surplus. Assuming the total rental to be 1,323,000*l.* subject to the existing term of twenty-four years, that sum will be represented by an annuity of the amount stated, deferred for twenty-four years. This deferred annuity, turned into an annuity in possession, will be equal to 516,000*l.*, and the amount will consequently stand as follows: —

	£
Immediate income	516,000
Deduct the fines	261,000
Surplus applicable to church rates and received fund . .	£255,000

being 5000*l.* a year more than is required for my immediate object. This operation may be wholly effected, as I anticipate, by the sale of the reversions to the tenants at the rate of twenty-five years' purchase; valuing the subsisting terms at the same rate, by allowing interest at 4 per cent. But it will be asked me how I can feel certain that the tenants will purchase? Sir, my conviction arises from my belief that it will be the tenants' interest to do so. Let me entreat the leaseholders to consider the proposition which I make them. I propose that, on the conditions I have stated, they shall be permitted to convert their present most uncertain and unsatisfactory tenure into a fee-simple title, subject to a perpetual rent. I have stated the computed rental at 1,323,000*l.* subject to the annual fines of 261,000*l.* The tenants' existing interest during the present leases would therefore be 1,062,000*l.* Supposing that the increased commuted rental amounted, as has been shown, to 516,000*l.*, the tenants' perpetual interest would amount to 807,000*l.* But what is the actual value of the terminable interest in the perpetual estate? From the best inquiry I have made, I am led to conclude that the highest average value of these church leases cannot be taken at more than twenty-one years' purchase. Now, a net rental of 1,062,000*l.* at twenty-one years' purchase amounts to

22,302,000*l.* But the perpetuity of 807,000*l.* held in fee-simple may be valued at thirty years' purchase: 807,000*l.* at thirty years' purchase amounts to 24,210,000*l.* Thus it would appear that although the tenants should lose in income, their gain in exchangeable value would amount to 1,350,000*l.* These figures are taken as affording the best illustration of my principle; and the practical result will, I feel convinced, bear out the reasoning. Though thirty years' purchase may not be obtained in certain cases for the fee-simple, neither will twenty-one years' purchase be given for the terms; and it is the difference between the one and the other which will determine the question.

If I am asked why I have fixed the rate of purchase at twenty-five years, I reply, that I find that the Legislature has, in an analogous case, acquiesced in this rate. An Act passed in 1827, at the instance of the Bishop of Bath and Wells, to enable him to sell the reversion of an episcopal estate; and it was enacted that the reversion should be sold at the rate of twenty-five years' purchase. It, therefore, cannot be said that I am doing any injustice to the bishops, or the lessees, in adopting this principle, which has already been sanctioned by King, Lords, and Commons. I may be asked, upon what authority I consider 7 per cent. as the average rate of interest allowed upon renewals of church leases? For the present I shall not appeal to other witnesses, but shall content myself to answer this question by reading an extract from a publication of a dignitary of the Church, the Reverend Sydney Smith, bearing on this subject: —

> The Legislature has not always taken the same view of the comparative trustworthiness of bishops and chapters as is taken by the commission. Bishops' leases for years are for twenty-one years, renewable every seven. When seven years are expired, if the present tenant will not renew, the bishop may grant a concurrent lease. How does his lordship act upon such occasions? He generally asks two years' income for the renewal, when chapters, not having the privilege of granting such concurring leases, ask only a year and a half; and if the bishop's price is not given, he puts a son, or a daughter, or a trustee, into the estate, and the price of the lease deferred is money saved for his family. But unfair and exorbitant terms may be asked by his lordship, and the tenant may be unfairly dispossessed; therefore the Legislature enacts, that all those concurrent leases must be counter-signed by the dean and chapter of the diocese, making them the safeguards against episcopal rapacity, and, as I hear from others, not making them so in vain.

I may state more generally that the proposition I have made is not without a conclusive legislative precedent; I allude to the precedent afforded by the Statutes for the

management of the Crown lands. In 1794, the case of the Crown lands was brought under the consideration of Parliament. A Report on the subject was made by the Surveyor General of the Woods and Forests, in the year 1797; in which Report it was set forth, as it might be now with regard to the Church estates, that the Crown lands were greatly mismanaged; that there was a great check to all improvement in consequence of the system of leases renewed on fines; and that by such means the rental was wholly inadequate. A proposition was made that the whole of the leases should be allowed to run out — that they should then be re-let; a preference being given to the lessees in possession, at a deduction of one eighth, in consideration of their supposed tenant rights. When this proposition was considered, two statesmen, whose names are entitled to the highest respect, attended as members of the Treasury Board. They took this Report into consideration; — and, to give the utmost weight to the resolution adopted, I need only mention that the members of the Government to whom I allude were Mr. Pitt and the present Marquess Wellesley. So far from having any doubt as to the policy of carrying into effect the recommendations of Mr. Fordyce, the Surveyor General, Mr. Pitt and Lord Wellesley entirely agreed with him; and, indeed, in one point went beyond him. Mr. Pitt thought it unreasonable to give a reduction of one eighth to the tenant in possession. He decided that he could only allow one twentieth, or 5 per cent.; and this was all the favour which was granted to the Crown lessees in consideration of their claim for renewal. The first principle upon which we now propose to act was thus adopted by the Treasury of 1797, although the same objections were then made by the Crown lessees as may generally be now advanced by the tenants of the Church. A memorial was laid before the Treasury, on the part of the lessees of the Crown, which, from the signatures to it, was not likely to have been considered as undeserving of the most serious and respectful consideration. This memorial set forth that their leases were taken, or purchased, under an expectation of renewals, upon the payment of the releasing fine, and a small reasonable increase of rent, in the same manner as the renewals under the Crown were usually granted. The memorial added, that the tenants had acted under the expectation that they had a clear tenant right; that, in reliance on the right, they had laid out large sums of money, in the improvement of the land; and that, by the mortgage of these lands,

Lord Balcarras, the Duke of Richmond, and many other persons of influence and importance. I mention this to show that a memorial more entitled to attention, from the names affixed to it, is seldom addressed to the Treasury. But to what did that memorial lead? Did it lead to the result of setting aside the arrangements of Mr. Pitt? On the contrary, these arrangements were persevered in; and the result has been the extraordinary improvement of the Crown lands, as, under the new system, those who possessed the property as tenants, acquired a far more permanent tenure than they had formerly enjoyed. It may be well to mention, before I pass to another subject, that in this memorial the parties state that the terms imposed upon the Crown lessees are so very hard that the lessees will never acquiesce. Now, I have had the curiosity to obtain a return of the number of persons who signed this petition, the number of the Crown tenants interested, and the number of those who afterwards renewed on the terms of Mr. Pitt. From this account I deduce the following curious result: —there were eighty-five lessees represented by the memorialists; and those who refused to renew, amounted to the small number of fifteen only. Fifty-one renewed; and the eighteen remaining were only prevented from renewing, solely because their lands were taken for public uses. I have, therefore, in my favour the authority of the Legislature in the steps taken deliberately for the more productive management and improvement of Crown lands; and I have a proof that this step was taken without real prejudice to the Crown lessees themselves. But, in addition to the terms granted by Mr. Pitt, I propose to the Church lessees the more important advantage of purchasing their lands at a fixed and advantageous rate.

Now, Sir, I shall endeavour to bring my concluding observations within as narrow a compass as is practicable. I have first sought to prove that the present state of the law is wholly indefensible. I have endeavoured to show that various remedies have been suggested, to which objections, more or less powerful, exist. I have endeavoured to describe to the House the nature of the remedy which I propose; and I have finally proved that my proposition comes recommended, not only by reason,

but by precedent and authority. I am not one to undervalue the rights of the Church in this matter, — far from it. But will Honourable Gentlemen carry their opposition so far as to say that the Church, in reference to its temporal interests, is to be considered as being more sacred and inviolable than the Crown? Will Honourable Gentlemen say that the lessees of the Church are entitled to more consideration than the lessees of the Crown? Surely, both stand precisely on the same footing. The Church property I view in the same light as I view the Crown property. The Church lessees I consider in the same condition as the Crown lessees. And if this be so, we then have got the authority of the Legislature in favour of my proposition. We are entitled to say, that our remedial measures are adapted to the nature of the case, and are supported by the highest precedent. Are we not entitled, therefore, to claim a fair consideration for our measure; and, above all, are we treated justly if it be denounced as adverse to the Church? I know that, when any one from this side of the House expresses his attachment to the Established Church, there is too frequently a disposition manifested by our opponents to signify their distrust of that declaration. Sir, it will be for this measure to speak for itself. It will be for Honourable Gentlemen to weigh well the probable consequences of this measure.

I well know the difficulty as well as the importance of all Church subjects at the present time. I feel the difficulty and danger of approaching them. So far back as the year 1237, one of our ancient statutes begins by a solemn warning *circumspectè agatis, in rebus tangentibus Episcopum.* If this warning was necessary six centuries since, it is at the least as necessary in 1837, in reference to the politics of our times; because, if any person, and more especially a Whig, presumes to touch this subject, except with the greatest circumspection and care, he is exposed to be stigmatised as an enemy to the Church, and as one who wishes to overthrow that establishment. I assert that, though all will be benefited, it is the Church that will derive the greatest advantage from the proposed arrangement. Is it nothing, that rest and peace should be given to the Church? Is it nothing to the Church of England that a time should arrive when there shall be no more of these annual meetings, at which discord and strife predominate, and at which theological asperities are embittered by a union with questions of money payments? I think all theological controversies are dangerous when they are not approached in the spirit of moderation and

charity. But if you seek to add to that danger in the case of any particular church, bind up your theological argument with the imposition of taxation; select as the place of discussion a popular meeting, to which all parties are freely admitted. Continue this system if you wish to endanger, and finally to overthrow, any institution, however sacred. Continue this system if you wish to pervert all Christian charity into hatred and fanatical malignity. If such be your object, perpetuate a system of distraction, which it is the object of my Bill to destroy.

Again, I contend, the Church would have a further and most essential benefit from my proposition. The management of these lands would be taken out of the hands of the bishops and other dignitaries; and every thing which tends to raise the character of the heads of the Church must improve the condition, and extend the usefulness, of the parochial clergy also. I wish to touch this part of the subject very lightly; but, have we never heard of suspicions that proceedings occur with regard to fines and renewals of church leases, which lower the clergy of this country in public estimation? Does not the mode in which the bargains have been struck,—and further, does not the power which a young bishop, or young dignitary, possesses, of running his life against the interest of the lease, — do not these causes introduce a collusion and a jealousy far from being useful or creditable to all parties? I find the following passage in this pamphlet of the Reverend Mr. Sydney Smith, to which I have already referred. The author is discussing the mode in which the patronage of bishops is disposed of: —

> The worst case is that of a superannuated bishop. Here the preferment is given away, and must be given away, by wives and daughters, or by sons, utterly unacquainted with ecclesiastical matters; and the poor dying patron's paralytic hand is guided to the signature of papers, the contents of which he is utterly unable to comprehend.

If this be true with respect to the church patronage of bishops, is it not equally true with respect to the grant of ecclesiastical leases? Will not a plan which puts the leasing power of the bishops upon a better principle, and removes from our prelates — I will not say all temptation, but — all suspicion, — will not such a plan be eminently beneficial to the Church? Further, if there be an advantage in this to the bishops, I humbly contend there is also an enormous benefit to the lessees. Let it not be asserted, for the purpose of raising an argument here — or let it not be said elsewhere, for the purpose of raising

obstacles to the passing of this Bill — that the Church lessee has a defined, legal, tenant right of renewal capable of enforcement, and one for which he is entitled to claim compensation. He has no such right — he stands precisely in the same position with the Crown lessee. Though almost afraid of the charge of pedantry and presumption in venturing to quote a high legal authority, I must ask permission to refer to the observations of Mr. Butler, in his edition of Coke upon Littleton, upon the question of tenant rights, as bearing on this subject. Mr. Butler observes that —

> The favour which is shown to old tenants, by granting them a renewal of their leases, preferably to a stranger, has given them, in the eye of the law, an interest beyond their subsisting term, and this interest is generally termed their tenant right of renewal. This is particularly applicable to leases from the *Crown*, from the *Church*, from *colleges*, or from other corporations. These circumstances have produced what is called tenant right. Attempts have been made to establish an obligation in landlords to renew, but they have not succeeded. *The renewal, therefore, is still a matter of favour and of chance; but is so far valuable, that it enhances the price of the property on sales.*

How, then, can that be considered a right, which, in the words of Mr. Butler, is thus left to "favour and chance"? I will say, further, that those who are interested in ecclesiastical leases well know to what they are now exposed, and to what they are also compelled to submit. They know not only the amount of renewals, but the charge of fees; and they know, to their cost, that every lease is a matter of heavy costs, payable to the secretaries and officers of the bishops. All this will be necessarily abolished under the proposed Bill. They will also have the power of exchanging Church lands for other lands of equal value, a power which at present they do not possess.

In anticipation of some of the objections which may be urged on the part of the lessees, I ask permission of the Committee to read an instructive passage from a speech which was delivered upon this subject in the House of Commons so long since as the year 1600; which may give to the shrewdness of modern times some aid from what is called the "wisdom of our ancestors." A Bill was introduced in the reign of Elizabeth, to prevent bishops from giving leases in reversion, until within three years of the expiration of the existing tenure. A country gentleman then stood up, as country gentlemen may now do, and opposed the Bill, contending, that it would be prejudicial to the Church, to the bishops, and

to their tenants. His argument was to the following effect : —

This Act would be prejudicial both to the bishop present, and the successor, and their servants, and to the bishop's own farmers and tenants. To the bishop present, in the maintenance of his estate, which cometh only by continual fines; which, if they be taken away, then are they not able to maintain that hospitality, or keep that retinue either belonging to their place, or answerable to their living; for consider the revenue of the greatest bishop in England, — it is but 2200*l.* per annum.

Observe, the greatest income then enjoyed by a bishop was 2200*l.* a year.

Several Honourable Members. — Hear ! hear !

COLONEL SIBTHORP. — That was 200 years ago.

The CHANCELLOR of the EXCHEQUER. — Very well. But this is not all ; let me proceed. This gentleman thus continued : —

Whereof he payeth for annual subsidy to the Queen, 500*l.* per annum.

Now, the Honourable Gentleman opposite, by his remark, implied that the income of 2200*l.* was, at that time, equal to what the income of a bishop is at present.

COLONEL SIBTHORP. — Hear !

The CHANCELLOR of the EXCHEQUER. — The Honourable Member agrees with me. Very well. But if he contends that the income of the bishops should be raised in reference to the altered value of money, he cannot object to raise the nominal amount of the subsidy on the same principle, and in the same proportion. What bishop now pays one fifth of his income as a subsidy to the State ? The speech from which I have quoted, goes on to argue that it would be a great hardship if the bishops, who were so poorly endowed, and who had a heavy subsidy to furnish, — if they were disabled from providing for their old and faithful servants, by granting them leases in reversion. But the chief ground on which this gentleman opposed the Bill was the following : —

And what damage we shall do both to the bishop and to his successor, his revenue being so beneficial to her Majesty, I refer to all your judgments. To the successor it must needs be more hurtful; for, when he first cometh in, he payeth first fruits, and yet is not allowed to make his benefit by fines, which all bishops' farmers are contented to do, so that he is cast one whole year's revenue behind hand; and, perhaps, hath no power, neither, to

make leases in twelve or sixteen years. This, Mr. Speaker, will be a cause to induce the ministers of the Word not to seek bishoprics, whereby we may bring the clergy both to poverty and contempt, from which they have ever been carefully defended and provided for, even by the most ancient statutes and laws of this realm now extant. Hurtful it is to their servants, for this may be every man's case. We know many good gentlemen's sons served bishops; and how can they reward their long and faithful service, but only by means of granting over of these fines, or some other means out of the spiritual functions. But this Act is good for the courtier; but I must speak no more of that. Lastly, Mr. Speaker, myself am farmer to a bishop; and I speak this as in my own case, (on my knowledge) to the House; that it is ordinary upon every grant, after four or five years, ever to fine and take a new lease. But, I refer it to the consideration of the House to do their pleasures herein; only this I certify, that I have the copy of the Bill the last Parliament exhibited to this purpose, which I having compared, together with the present Bill, do find them to be, word for word, all one; and that was rejected; — and so, I doubt not, if the reasons be well weighed, but this will have the like success.

Thus it appears, that it was not because the interests of the Church, or because the principles of public justice, would be compromised by the Bill, that this good Member of Parliament opposed it, but because he was the farmer of a bishop.

Several Honourable Members. — Hear! hear!

The CHANCELLOR of the EXCHEQUER. — I am rejoiced that Honourable Gentlemen, on both sides of the House, cheer this suggestion; they, therefore, disavow an opposition which rests on these selfish grounds. Those who say that the whole of this property should belong to the Church, and those who maintain that it should be the property of the lessee, unite in their cheers. But if there be any who maintain that this reversionary value is the property of the Church, then they ought to take it from the lessees; and if the lessees have a legal right to keep it for themselves, then they must not unite with their opponents to give it to the Church. Therefore I may have some chance of the votes of each of these cheerers against the others; and they may support me in sanctioning a vote for the application of their funds to provide for church rates; but they cannot, with any consistency, confederate together. Let not those who wish to get this property for the Church, and those who wish to regain it for the lessee, unite; for it cannot, without a miracle, be applied to these two and opposite objects.

The Right Honourable Gentleman opposite cheers me. Sir, this brings me to consider whether it can be argued that this surplus does or does not belong to the Church. Sir, I maintain that it does not belong to the Church, but that it does belong to the State, though I only contend for its application to a strictly ecclesiastical use. I have an authority to that effect on my side, and I entreat the attention of the Committee to this authority. I call your attention to this authority, in order that I may protect myself and the Government from the accusation that we are sanctioning or recommending any misapplication of church property. My first authority may not have weight with gentlemen opposite, but it is one on which we at this side rely, — it is the authority of Lord Spencer. The case we seek to make out is this; — that when we give, by law, a new value to church lands, we acquire a right to apply the funds derived from this new value to such purposes as the Legislature may sanction. I have the authority of Lord Spencer for this. That Noble Lord, in 1833, in introducing this measure, said,—

> Even those who declared that it is unjust and improper to interfere with the revenues of the Church will agree with me, that if by the Act of Parliament which will be introduced on this subject any new value is given to benefices, that new value, so created, would not properly belong to the Church; and whatever is raised by it may be immediately appropriated to the exigencies of the State. . . . I feel, therefore, that those gentlemen who object to any interference with Church property will fully and readily agree to this proposition. If, therefore, as I have already observed, an increased value will be created by the contemplated Act of Parliament, then I have a right to assume that that increased value cannot be claimed by the Church. I therefore feel that even those individuals who object to the interference with Church property, or the appropriation of it to any other than Church purposes, may, without any scruple, agree with me in the proposition that, whatever additional proceeds are realised by the new system may be applied to such purposes as Parliament may think fit.*

But, Sir, this is not the only authority to which I can appeal on this subject. I am entitled to claim that of my Noble Friend opposite, also (Lord Stanley). Nay, he goes beyond what I contend for. My proposition does not imply that you are authorised to apply the increased value to the purposes of the State generally. I only ask the House to affirm that it may be applied to the purposes of church rates, — that is, to an admitted ecclesiastical purpose. My Noble Friend has gone further: he maintains

* See Mirror of Parliament, Sept. 1833 p. 178. col. 1.

the doctrine, that the surplus may be applied, without limitation, to the uses of the State. Then let it not be said that my plan interferes with, and is inimical to, the interests or the property of the Establishment; for it is founded on principles more moderate and limited than the principles of my Noble Friend, whose attachment to the Established Church has never been questioned. My Noble Friend, in proposing the Irish Church Temporalities Act, proposed to increase the value of church property, but he also proposed to devote the increased value to State purposes; whereas, we propose to devote it to purposes that are definite as well as ecclesiastical: —

What is it we propose? That the land shall remain charged with a certain corn-rent; and that the tenant shall have no power, nor the bishop either, to alter that arrangement. The tenant shall pay a regular sum — a larger sum — the amount to be calculated by a public accountant. To whom, then, shall be the benefit of this payment? The Right Honourable Baronet the Member for Tamworth says, "to the Church." I say, "to the State."

And again: —

Why do I say that this is applicable to the State? What is the present value of Church property? The bishop, by the conditions which you — the State — have imposed upon him, and on which he holds his land, cannot grant a lease for a longer period than twenty-one years. The lease, subject to this condition, if brought into the market, is worth about twelve years and a half purchase. You pass an Act which increases the value of those leases to the extent of seven, eight, or, it may be, nine years' purchase. Whatever the increased value is, you give it to the Church. She does not possess it without the Act of the Legislature; and I ask if you, by your Act, give an increased value to Church property, has the Church any right, or can she have any claim, to say, — "It is to me you must pay this increased value, which my property never had, and never could have had, but by your act." I say it is perfectly consistent with the principle that the revenue of the Church ought not to be appropriated to other purposes, that you should appropriate to secular, or any other, purposes the increased value you now give to Church property, convertible into pounds, shillings, and pence, which it never would have been without your own act.*

I say, it is not competent for my Noble Friend to object to the principle on which we act. He may not agree in our plan, — he is not bound to assent to it; but then he is not at liberty to say that we violate any principle, when proposing to increase the value of church lands. We propose to appropriate the new funds, not to the State, but to the Church. "The bishops," the Noble

* See MIRROR OF PARLIAMENT, Sept. 1833, p. 189. col. 2.

Lord then truly asserted, "cannot grant leases for more than twenty-one years, the value of which lease is about twelve and a half years' purchase. If you pass an Act, which increases the value of the leases to the extent of eight or nine years, are you to give that increased value to the Church; or should you not, rather, when by an Act of the Legislature you increase the value, give the benefit of it to the State, by applying it to secular purposes?" I do not use the high name, and the great authority, of my Noble Friend for the purpose of throwing any difficulty in his way. I admit there is a difference between the two cases of England and Ireland, and, no doubt, I shall be told so. Let us hear that argument when the Irish Church Bill comes under consideration. I repeat, I do not use the high name of the Noble Lord, and the weight of his authority, for the purpose of embarrassing him; but to meet the charge and the invective directed against us out of doors, and the suggestion that we are actuated by a spirit prejudicial to the Established Church. I contend, on the contrary, that we seek to apply this property to what is strictly an ecclesiastical purpose. Now, in the discussion to which I allude, the Right Honourable Baronet, the Member for Tamworth, said, he would not object to appropriate a part of the revenues of the Church to what were strictly ecclesiastical purposes; and he admitted, further, that the repair of the Church is an ecclesiastical use. I, therefore, have the authority of both my Noble Friend and the Right Honourable Baronet for my line of argument. I am reluctant to refer to historical facts, or to detain the House by quoting from antiquarian authorities; but to those who love antiquity, I say, look to the origin of church rates. Even so late as the reign of Queen Elizabeth, when funds were required for the repair of St. Paul's Cathedral,—what was done? Why the Queen, at once, had recourse to the clergy, and, by imposing a heavy taxation upon the Church, she produced funds, and laid down the principle that the ecclesiastical estates might justly be made to contribute to the repairs of the fabric. The account of the transaction is as follows: —

In the year 1561 a fire happened in St. Paul's Cathedral, which burnt down the lofty spire and otherwise damaged the edifice. The Queen, Elizabeth, resolved to have the damage speedily repaired; and what steps did the Queen take to effect this object? "Being," as Strype observes, "*church work*, she reckoned the bishops and clergy should especially be contributors thereto." She sent a letter, therefore, to the archbishop, "that he should consult with

the bishops of his province, and the chief of the clergy, to devise among them some convenient way for collecting money from them for that use." The archbishop accordingly issued his order to the Bishop of London, and the other bishops of his province, "that they should contribute the twentieth part of their promotions in the diocese of London, and the thirtieth part elsewhere, with the exception of stipendiary curates and beneficed men exempt by statute from first fruits, unless they should be brought to contribute by good persuasion of the bishops, and to pay one fortieth." Some of the clergy being backward with their payments, Queen Elizabeth's council issued a letter to the archbishop, desiring him to collect the arrears, and informing him that "further orders" would be taken if the clergy should refuse to pay. Such was the mode adopted by Queen Elizabeth for repairing St. Paul's.

Again, in the time of Charles II., many of the leases of church lands having been allowed to expire in the time of the Commonwealth, and a vast sum, by way of fines, being due, and most undoubtedly the property of the clergy of that day, a course somewhat similar was taken. The Church had an undoubted right to these fines in law and justice — the lessees, too, were fairly entitled to be considered in the renewal of their leases. But was either of these principles strictly adhered to? No such thing. Part of these funds were applied in rebuilding St. Paul's, and another portion of the money, was wholly diverted from ecclesiastical purposes. Then, again, as to the lessees; so far from any preference being given to those who might have been entitled to consideration, the lessees, who suffered for their attachment to their King and to their Church, were, I am sorry to say, in many cases, set aside; and the incumbents are said to have looked more to their profits as landlords than to any other consideration. An account of these transactions is to be found in the writings both of Burnet and of Clarendon, and may be referred to as most curious illustrations of the subject now before the Committee.

Before I sit down, I will take the liberty of referring to one further authority on this subject, well worthy of our consideration. It may be urged, that such of the petitions for the abolition of church rates as come from dissenting bodies are entitled to less weight than if they came from members of the Establishment. But the prayer of those petitions I find to be supported by an authority of the most unquestionable orthodoxy — the authority of one of the dignitaries of the Church — a divine of great learning and great eminence in the University of which he was a member and an ornament. I allude to the late Dr. Burton, canon of Christ Church and

Regius Professor in the University of Oxford. His words and arguments are most emphatic, and, indeed, they warrant conclusions going far beyond my resolutions. The following is an extract from his "Thoughts on the Separation of Church and State": —

> If a person is not a member of the Church of England, I can hardly think it right to make him pay for the repair of the fabric, or for any of the appendages of a worship in which he takes no part. I am aware that there is a practical difficulty in admitting this doctrine; because, when the churchwarden goes to collect the rate, it holds out a pecuniary inducement to every person to say that he is not a member of the Church of England; and thus not only will many parish churches go without repair, but hundreds and thousands of persons may be tempted to tell a falsehood in a matter of religion: it will, in fact, be a man's interest (in a worldly sense) to attend no place of public worship. I have sometimes thought, that the Legislature might reasonably call upon every person in the country, who is now liable to be rated to church and poor, to pay a small annual rate (and it need be but very small) to the maintenance of some place of public worship. It would hardly be intolerant in a Christian Legislature to require that every person in the country should declare himself to belong to some form of Christianity. In parishes where there are no Dissenters, the whole of this rate would be expended, as now, for the repair of the parish church, or for uses connected with the ritual of the Church of England. In parishes where there are several sects, the money would be divided in proportion to the relative members belonging to each sect: and it might be made imperative upon each sect, as upon the Church of England, to appoint some responsible officer, who should account publicly for the expenditure of the money. If it should happen that the Church of England, or any of those sects, did not want that exact sum in any particular year, I can see no objection to its being put by as a fund in case of need; but the rate should be collected every year, and thus no pecuniary inducement given to any person to declare himself a member of the cheapest church. There may be difficulties in the plan, of which I am not aware, and I only put it forward to be considered by others; but, at all events, the payment of church rates by Dissenters ought to be abolished. If they feel the payment to be a grievance, it is one.

I have, therefore, the authority of the Regius Professor of Oxford for the course I am pursuing.

I will just say one word, in explanation, before I sit down. If the alternative I propose should fail, viz. — if the lessees should decline to convert their tenures into perpetuities, or if that conversion should produce a sum below my estimate, this contingency is provided for by another mode of raising money. In such event, though I do not anticipate its occurrence, I propose that we should have the power of advancing from the Treasury, upon the security of the Church lands, repayable out of

the produce of these Church lands, on the same principle on which advances are frequently made to other public bodies for public purposes. These advances, if required, will meet and supply every possible deficiency. I do not believe that this power will ever be exercised. I do not believe it will be found necessary to resort to such collateral security; but I know perfectly well how our proposition would be dealt with if I had not proposed this collateral security. I know it would have been said, — "All your calculations are matter of doubt and uncertainty — we cannot rely upon the realisation of the increased fund you promise us — we will leave the support of the Church dependent upon a mere contingency." I think I have proved to demonstration, that the proposed Bill would supply the means of meeting every necessity; yet, to obviate all cavil and objection, if it should become requisite to make an advance from the Treasury, to give effect to a measure formed for the purpose of giving peace to the country and security to the Church, it is but right that such an application of the resources of the State should be sanctioned — should be adopted.

I thank the House most sincerely for the attention they have given me. I know the statement I have made has been extremely long and tedious. But I have had much to explain. I have endeavoured to make that explanation as intelligible as I possibly could. It has been with the view not only of convincing the Committee, but for the further purpose of avoiding misconception out of doors, that I have thought it necessary to go thus fully into the argument. If, by any effort of mine, I can prevent it, I will not allow Honourable Gentlemen who are inclined to support me — I will not allow my colleagues in the Government — to be open to the imputation that the plan which I have been authorised to introduce, shall be stigmatised as a plan of persons who seek "to deprive God of his honour, or the poor of their rights." The measure is founded on the most conscientious regard to the interests of religion. I have shown to the Dissenter that it will give him a full and effectual relief; and I have shown to the persons who have lent their money, on the security of church rates, that their right will be protected, and their claims adequately secured. I hope that I have done all this; but, to do it, it has been necessary to fortify myself with many high authorities — to refer to the former opinions and names of gentlemen opposed to me. I never allude to names and

opinions for the purpose of taunt or vituperation; I have made these references for the purpose of supporting my own argument by the weight of their authority, and the arguments they have advanced. Would that I might hope we could approach this subject without the bias of contentious or party feeling — would that it might be considered simply on its own merits!

Sir, I do not quarrel with the course suggested, the other night, by the Right Honourable Baronet the Member for Tamworth; I rather rejoice that the suggestion was made by him. It has been readily adopted by me. I rejoice, after the resolution shall have been read, and the explanation given, that the people will have an opportunity of examining their details. I think the interval that must elapse will prevent a cry from being raised, suggesting either that we have forgotten the fair claims of the lessses, or that we have forgotten the permanent interests of the Church itself; — that we have undervalued the petitions of the Dissenters, or overlooked our obligations to the established clergy. Under these circumstances, I rejoice that time will be afforded for the full consideration of this important question. I know that it may be difficult to follow a statement like mine, even if it had been recommended by powers superior to those I possess. It embraces a vast variety of matter, on which no Honourable Member could wisely pledge himself, without full consideration; and I shall conclude by once more humbly and earnestly thanking the House for the very kind manner in which it has listened to me; and by repeating my earnest hope that a candid examination of my proposition may prove to the two parties whose interests and feelings must be considered, that it is the earnest desire of his Majesty's Government, if it be impossible to produce between Churchmen and Dissenters the "unity of the spirit," that it may at least combine them by the "bond of peace."

I conclude by moving the adoption of the resolution I hold in my hand.

The CHAIRMAN then put the resolution as follows: — "That it is the opinion of this Committee, that for the repair and maintenance of parochial churches and chapels in England and Wales, and the due celebration of divine worship therein, a permanent and adequate provision be made out of an increased value given to church lands by the introduction of a new system of

management, and by the application of the proceeds of pew rents ; the collection of church rates ceasing altogether, from a day to be determined by law : and that, in order to facilitate and give early effect to this resolution, the Commissioners of his Majesty's Treasury be authorised to make advances on the security, and repayable out of the produce, of such church lands."

APPENDIX.

Extract from Bishop Burnet's History of the Reign of King Charles the Second.

Almost all the leases of the Church estates over England were fallen in, there having been no renewal for twenty years. The leases for years were determined; and the wars had carried off so many men, that most of the leases for lives were fallen into the incumbent's hands. So that the Church estates were in them; and the fines raised by the renewing the leases rose to about a million and a half. It was an unreasonable thing to let those who were now promoted carry off so great a treasure. If the half had been applied to the buying of tithes or glebes for small vicarages, here a foundation had been laid down for a great and effectual reformation. In some sees, 40,000*l.* or 50,000*l.* was raised, and applied to the enriching the bishops' families. Something was done to churches and colleges—in particular to St. Paul's, in London; and a noble collection was made for redeeming all the English slaves that were in any part of Barbary. But this fell far short of what might have been expected. In this the Lord Clarendon was heavily charged, as having shown that he was more the bishops' friend than the Church's. It is true, the law made those fines belong to the incumbents; but such an extraordinary occasion deserved that a law should have been made on purpose.

And with this overset of wealth and pomp, that came on men in the decline of their parts and age, they, who were now growing into old age, became lazy and negligent in all the true concerns of the Church: they left preaching and writing to others, while they gave themselves up to ease and sloth.

Extract from the Life of Clarendon, written by himself.

The old bishops who remained alive, and such deans and chapters as were numerous enough for the corporation, who had been long kept fasting, had now appetites proportionable. Most of them were very poor, and had undergone great extremities; some of the bishops having supported themselves and their families by teaching schools, and submitting to the like low condescensions: and others saw that, if they died before they were enabled to make some provision for them, their wives and children must unavoidably starve; and, therefore, they made haste to enter upon their own. They called their old tenants to account for rent, and to

UNIVERSITY OF CALIFORNIA LIBRARY

Los Angeles

This book is DUE on the last date stamped below.

41584

London:
Printed by A. Spottiswoode,
New-Street-Square.

UC SOUTHERN REGIONAL LIBRARY FACILITY
AA 000 765 925 3